deceased daughter Annie B. whose husbands name is William E. Stockman she died some years ago but after my fathers death and her husband still survives she also left children as follows. -an adult son Clifford Stockman whose wifes name is Ethel Stockman; an adult son Marshall Stockman whose wifes name is Mary Stockman; an adult daughter Minnie Whityford whose husbands name is Thomas Whityford; an adult single daughter Helen Stockman; an adu-1t daughter Josephine Bear whose husbands name is Richard Bear, all of whom are residents of Frederick Maryland except that Minnie Whityford and Thomas Whityford her husband live in Baltimore and Lillie Titlow and Samuel Titlow her husband lives in Washington D.C. and Josephene Bear is Non Compos and is at State Hospital at Sykesville Maryland, her husband Richard Bear lives in Frederick. My father Michael Whisner at the time of his decease owned real estate in this city which is fully described in Exhibit "E.C.T" "W.S." and "C.B." and "C.W.M." and "D.H.H." and "E.L." and "T.C.L." and "H.B." filed with the Bill and as evidence in this cause, I look at sm d Exhibit-they are certified moples of the deeds for the respective properties and correctly describes them, In my opinion these properties are worth in the aggregate about \$3000.00 My father died intestate a certified copy of his will is filed in this case and is marked Exhibit "Will" it left everything to my mother during her life and at her death to be equally divided among the children, It could not be divided among the parties entitled without loss and injury, it consists of five houses and one lot and they are not all equally valuable, the only way to divide it is to sell it and divide the money. My sister Mrs. Bear is Non Compos has been there at Sykesville for about seven weeks and she was at Montevue for some time before that, she is unable to execute a valid deed or contract.

To the General Interrogatory

Ans. Nothing further.

Sharles D. Whisner.

B.Else Phebus, a witness of lawful age produced on the part of the Plaintiff being first duly sworn and examined viva-voce deposes and says as follows!-

My name is Benjamin Else Phebus, I am 57 reays of age & I reside in Frederick City and I know all the parties to this cause I have heard the testimony of Charles D. Whisner as to his father Michael Whisner died and who his surviving family was and who are now his heirs at law, it was correctly stated by Charles D. Whisner and I adopt his testimony in regards thereto as my own. Michael Whisner at the time of his decease owned five buildings houses and a vacant lot of ground, all of it in Frederick City, Maryland, I am well acquainted with it, its location and value, this real estate is correctly described in the exhibits filed with the Bill and as evidence in this case and enumerated in the testimony of Charles D. Whisner. It is worth in the aggregate around \$5000.00, It is not capable of being divided amongst the parties entitled thereto without loss and injury some of the houses are worth much more than others and the only way I know would be to sell it and divide the proceeds. Josephine Bear, Richard Bear's wife is at Sykesville now & from all I can learn is hopelessly non-compos, she would not be able to execute any deed foe her interest in this property.

To the General Interrogatory.

Ans. Nothing more

Benjamin E.Phebus.

Adjourned until December 22nd, 1916 and examination resumed at 2.30 0'clock P.M. Marion S.Mobley, a witness of lawful age produced on the part of the Plaintiffs being first duly sworn and examined viva voce deposes and says as follows.

My name is Marion S.Mobley, I am 55 yrs old and I reside in Frederick, Maryland I know all the parties to this cause and I knew Michael Whisner and his wife Margaret Whisner in their lifetime, both are now dead, Mr. Whisner died many years ago and his wife died a few months ago I have heard read the testimony of Charles D. Whisner who gives the names of the children of Michael Whisner and his grand children of Mrs. Stockman, who are now living and who are the heirs at law of Michael Whisner what he has testified to is